

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

EDDIE MCCLENTON

Plaintiff(s) or Petitioner(s) (full name)

v.

KATIE MEARS &

DEPARTMENT OF CORRECTIONS  
Defendant(s) or Respondent(s) (full name)

2014 OCT -6 P 12:12

14-C-1243

Case No.

(to be supplied by Clerk)

PETITION AND AFFIDAVIT TO PROCEED  
WITHOUT PREPAYMENT OF FEES AND/OR COSTS

*The cost of filing nearly every civil action is \$400.00. This includes the \$350.00 statutory filing fee and a \$50.00 administrative fee. If you cannot afford this \$400.00 fee you may ask permission to proceed without the prepayment of fees and/or costs by completing this form and submitting it along with your complaint or petition. The court will use the information you provide on this form to determine whether to allow you to proceed without prepayment of all or a portion of any fees or costs in this action.*

*Complete all questions on this form and sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case number, and the question number. Please print or type your answers. The court will deny your petition if the court cannot read it. This form does not need to be notarized.*

*If the court allows you to proceed without prepayment of all or portion of the fee and costs, the court will then review your complaint or petition to determine whether it is legally sufficient to proceed.*

**DO NOT USE THIS FORM IF YOU ARE A PRISONER.**

What type of case are you filing? CIVIL  
(e.g. civil rights, employment discrimination, Social Security appeal, etc.)

I, Eddie McClenton, declare that I am the plaintiff or petitioner in the above-named action. In support of my request to proceed in forma pauperis, I declare that I am unable to pay the fees and/or costs of these proceedings and that I believe I am entitled to the relief sought in the present complaint, petition, or motion. I understand that a false statement may result in a dismissal of my claims. I answer the following questions fully, truthfully, and under penalty of perjury. 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Signature: Eddie McClenton

Date: 10-6-14

## I. Personal Information

A. Are you currently married? ☐ Yes ☒ No

B. Are there any persons (children or adults) whom you and/or your spouse are responsible for financially supporting? ☐ Yes ☒ No

If "Yes," list each person you or your spouse financially support below:

Name (for minors use only initials) Relationship to you Amount of support provided per month

\_\_\_\_\_ \$ \_\_\_\_\_

Are you or your spouse required by a court order to pay this amount per month? ☐ Yes ☐ No

\_\_\_\_\_ \$ \_\_\_\_\_

Are you or your spouse required by a court order to pay this amount per month? ☐ Yes ☐ No

\_\_\_\_\_ \$ \_\_\_\_\_

Are you or your spouse required by a court order to pay this amount per month? ☐ Yes ☐ No

## II. Income

List all income that you and/or your spouse received over the past year and expect to receive in the next month.

Income Source	Average monthly income during the past 12 months		Income expected in the next month	
	You	Spouse	You	Spouse
Employment (net income (after tax))	\$ 9,000	\$	\$ 800	\$
Public assistance (Food Stamps (SNAP), W2, WIC, etc.)	\$ NA	\$	\$ NA	\$
Disability compensation (social security, worker's compensation, private insurance, etc.)	\$ NA	\$	\$ NA	\$
Unemployment compensation	\$ NA	\$	\$ NA	\$
Gifts received	\$ NA	\$	\$ NA	\$
Child support received	\$ NA	\$	\$ NA	\$
Alimony, spousal maintenance, or family maintenance received.	\$ NA	\$	\$ NA	\$
Investment income (interest, dividends, or capital gains)	\$ NA	\$	\$ NA	\$
Retirement income (social security, pensions, annuities, individual retirement account (IRA) distributions)	\$ NA	\$	\$ NA	\$
Other income from any other source (examples include rent received, loans received, inheritance, life insurance, etc.)	\$ NA	\$	\$ NA	\$
<b>Total Income</b> (add each column)	\$ 0	\$	\$ 800	\$

### III. Property

A. Do you and/or your spouse have a car or other motor vehicle? ☒ Yes ☐ No

If "Yes," provide the following information for each vehicle:

<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Approximate Current Value</u>
Ford	F-150	2001	\$ 3,000
<input checked="" type="checkbox"/> Fully paid for <input type="checkbox"/> Leased <input type="checkbox"/> Not yet paid for (approx. amount owed \$ _____)			

<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Approximate Current Value</u>
_____	_____	_____	\$ _____
<input type="checkbox"/> Fully paid for <input type="checkbox"/> Leased <input type="checkbox"/> Not yet paid for (approx. amount owed \$ _____)			

B. Do you and/or your spouse own a residence? ☐ Yes ☒ No

(Answer "Yes" even if property has a mortgage)

If "Yes," what is the approximate value of any residence: \$ \_\_\_\_\_

Approximately how much is still owed on any mortgage: \$ \_\_\_\_\_

C. Do you and/or your spouse have any cash, checking, savings, or similar accounts?

☐ Yes ☒ No

If "Yes," state total amount in all such accounts: \$ \_\_\_\_\_

D. Do you and/or your spouse have any other intangible assets including, but not limited to stocks, bonds, trusts, or retirement accounts (e.g. IRA, 401(k), 403(b), etc.)

☐ Yes ☒ No

If "Yes," state type of account and total amount in each account:

_____	\$ _____
Type of account or asset	Total value
_____	\$ _____
Type of account or asset	Total value
_____	\$ _____
Type of account or asset	Total value

E. Do you and/or your spouse own any other valuable property that might be worth more than \$1,000, including, but not limited to jewelry, firearms, artwork, antiques, boats, snowmobiles, ATVs, or real estate? Do not list clothing or ordinary household furnishings.

☐ Yes ☒ No

If "Yes," describe property and provide approximate value:

\_\_\_\_\_  
Type of property

\$ \_\_\_\_\_  
Total value

\_\_\_\_\_  
Type of property

\$ \_\_\_\_\_  
Total value

#### IV. Expenses

A. How much do you and/or your spouse pay each month on the following?

Rent \$ 590.00 / month

List any utilities included in rent: \_\_\_\_\_

Mortgage \$ N/A / month

Check if this amount includes

☐ property taxes; ☐ insurance

Groceries \$ N/A / month

Utilities (electricity, gas, water, etc.) \$ N/A / month

Telephone \$ 0 / month

Cell phone \$ 35.00 / month

Cable / Satellite TV \$ N/A / month

Internet \$ N/A / month

Home maintenance (repairs and upkeep) \$ N/A / month

Medical (out-of-pocket costs, co-pays, deductibles, prescriptions, etc.) \$ N/A / month

Clothing \$ 0 / month

Car payment(s) \$ 0 / month

Gasoline \$ 300.00 / month

Insurance

Homeowners or renters

(list only if not included in mortgage payment)

\$ 590.00 / month

Health (list only amount you/spouse pay) \$ 0 / month

Automobile \$ 0 / month

Life \$ 0 / month

Property taxes

(list only if not included in mortgage payment)

\$ 0 / month

Court ordered child support, alimony, spousal maintenance, or family maintenance \$ 0 / month

Credit card debt payments \$ 0 / month

B. Do you and/or your spouse have any other monthly expenses you have not already identified?

☐ Yes ☒ No

If "Yes," list all other expenses below:

Expense	Amount per month
_____	\$ _____ / month
_____	\$ _____ / month
_____	\$ _____ / month
_____	\$ _____ / month
_____	\$ _____ / month

C. What is the total of all monthly expenses of you and/or your spouse?

(Add all amounts listed in response to questions IV A. and B. above)

\$ 900.00 / month

V. Are you financially supported by any other person? For example, do you live with another person and do not pay for rent, utilities, or food? Does another person pay any of your expenses for you?

☐ Yes ☒ No

If yes, explain.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VI. Are there any other circumstances that you would like the court to consider when reviewing your request to proceed without prepayment of costs and/or fees?

I have no job, but I am looking. I am able to pay my rent, due to  
the fact that I be doing home repair for people at times that  
are unable to pay a lot of money to have work done on their  
homes

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

Eddie McClenton

Signed Under Penalty of Perjury  
28 U.S.C. § 1746; 18 U.S.C. § 1621.

Date: \_\_\_\_\_

10-6-14